



**MINUTES OF THE PUBLIC HEARING OF
MONDAY, AUGUST 17, 2015
AT 200 HIGHLANDS BOULEVARD DRIVE
REGARDING A TEXT AMENDMENT TO
THE CODE PERMITTING BEER AND
WINE GARDENS IN THE
“H” HISTORIC DISTRICT**

Mayor David L. Willson called the Public Hearing of the Board of Aldermen to order at 7:00 p.m.

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Baumann, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

The following notice of the public hearing was then read:

“The City of Manchester Board of Aldermen shall hold a public hearing on Monday, August 17, 2015 at 7:00 p.m. at the Manchester Police Facility, 200 Highlands Boulevard Drive, to consider the following:

CASE #15-TXT-004 – A text amendment is proposed to Section 405.280.e.4 of the City’s Zoning Code by adding thereto a new sub-section (n) permitting beer and wine gardens in the “H” Historic District.”

Mayor Willson stated that first we would hear from the proponents, then opponents, comments from the public and comments from the Board of Aldermen.

City Attorney Patrick R. Gunn spoke as a proponent. He stated that this is a staff-generated suggestion to the Board and to the Planning and Zoning Commission. This involves the amendment of the “H” Historic District regulations to accommodate what the staff believes to be a rather soft commercial use, and for the public’s benefit he wanted to read what would be permitted by this Ordinance should the Board approve it.

City Attorney Gunn read: “Beer and wine garden, including the sale of food and liquor to be consumed on the premises. Sale of package liquor shall be prohibited. A limited breakfast menu (i.e., coffee and pastries) shall be permitted in conjunction with such wine and beer garden operation (designed historic buildings only).”

Attorney Gunn stated the staff considered this quite a bit and deliberated rather extensively and they feel that this is not a serious incursion into commercial uses in the R-1 district with a commercial overlay and it is recommended that the City and the Board approve this Ordinance.

There were no opponents and no comments from the public.

Alderman Clement stated that the Planning and Zoning Commission recommended it for the Board's approval.

Mayor Willson closed the public hearing at 7:07 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MRCC-S
City Clerk

***Note:** This is a journal of the Public Hearing held Monday, August 17, 2015 (summary); not a verbatim transcript. If a recording of the public hearing is desired, please contact City Hall.*



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING
OF MONDAY, AUGUST 17, 2015
AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor David L. Willson called the Regular Board of Aldermen meeting to order at 7:07 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Baumann, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

3. APPROVAL OF THE MINUTES

a. Minutes of the August 3, 2015 Regular Board of Aldermen meeting

Alderman Clement made the motion to approve the Minutes of the August 3, 2015 Regular Board of Aldermen meeting. The motion was seconded by Alderman Hamill and carried unanimously, without objection.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Mayor Willson stated he would be introducing a boy scout.

Alderman Clement made the motion to approve the Order of Items on the Agenda as amended. The motion was seconded by Alderman Hamill and carried unanimously without objection.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Grant Announcement

Director of Public Works Bob Ruck announced that the East-West Gateway Council of Governments has approved federal funding for the 2016 – 2019 transportation improvement program for the replacement of the Spring Meadows Drive Bridge. He said the current bridge was built in 1972 as part of the Baxter Acres Subdivision development, and during the Missouri

Department of Transportation's 2014 inspection of all City bridges, the Spring Meadows Drive Bridge rating was lowered to 4, which qualifies it for federal funding.

Director Ruck stated the overall project is going to have an \$830,000 projected value. He said that the federal funding would be at 80 % which is \$664,000 and the City's share should be at \$166,000. During the years of 2016 – 2019, the City will have the design in 2016, the right-of-way acquisition (which would include temporary easements) in 2017, and in 2018 will be the actual construction of the bridge. Director Ruck explained the project.

Alderman Clement asked if Horner and Shifrin put the numbers together as far as cost, and if they were projected three years out. Director Ruck answered affirmatively.

b. Comments from the Public

There were none.

6. REPORTS FROM THE MAYOR

a. Introduction of Boy Scout

Mayor Willson announced that Boy Scout Evin Gay of Troop 750 was in attendance at the meeting.

b. Mayoral Report

Mayor Willson reported that on August 10, he attended the Planning and Zoning Commission meeting.

Mayor Willson invited elected officials and staff to discuss other events that he was not in a position to attend within the last two weeks.

City Administrator Andy Hixson discussed an arts project which had taken place at Lafayette Industries. Manchester Arts volunteers donated time and the Rotary Club paid for it.

Alderman Clement stated Alderman Baumann, Alderman Stevens and he attended the concert which was an awesome concert, and he believes it has been the best so far. Director Collins stated there were approximately 400 people there. Alderman Stevens said she thinks it was the best concert we had, a most enjoyable evening, and sadly it was the last of the season.

Alderman Ottenad stated that she, along with Alderman Clement, attended "First Night Out" and got to meet a lot of new people and had a lot of fun. She explained the various events that were held at Lynwood Forest and Country Lane Woods II.

Director of Parks and Recreation Eileen Collins discussed the "Concert in the Park" and stated that the band played various types of music. She said there was a larger younger crowd there. She said the evening was pleasant with a nice breeze and the music was very enjoyable.

7. REPORTS FROM THE CITY ADMINISTRATOR

a. List of Paid Bills (Warrant dates of August 2 – August 15, 2015)

There were no questions.

8. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Alderman Clement stated that there was a meeting, and they had three cases. One site plan approval was for a carport, and another was for a brand new, much larger building on Joyce Ann, and there was a preliminary plat approval for a subdivision off Big Bend. All cases were approved unanimously.

b. Homecoming Committee

Alderman Ottenad stated she was not able to attend the last meeting.

Director of Parks and Recreation Eileen Collins reported that the meeting helped the members of the Committee, as we get near Homecoming, to wrap everything up and get reports. It was important to get everyone up to speed, there are tickets coming in, donations coming in; we needed to wrap up entertainment, and it was an opportunity for chairpersons to give reports.

Alderman Clement said he believes there are 26 tents so far, which has exceeded last year's event. The event will be well represented with food and vendor representation.

c. Manchester Arts

Alderman Stevens said the concert was great, the whole series was, even when they played in the rain. There is now new artwork on display at the Police Facility. Alderman Clement added that the opening is Thursday night between 5:00 and 7:00 p.m., and there are 23 different artists represented in this show.

Alderman Stevens stated on September 26 Manchester's first "ArtsFest" will take place from 12:00 noon until 6:00 p.m. Artists will come and show their wares, it will be a nice time to be at the park. There will be more information coming.

9. ACTION ON OLD BILLS

a. BILL # 15-2230 - AN ORDINANCE AMENDING THE CODE OF ORDINANCES IN REGARD TO COMPETITIVE BIDDING

Alderman Hamill read for the second time Bill # 15-2230, entitled: "AN ORDINANCE AMENDING SECTION 135.080 OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER RELATING TO PURCHASING GOODS AND SERVICES", by title only.

Alderman Hamill made the motion that Bill # 15-2230 become Ordinance # 15-2115. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Clement – aye
Alderman Stevens – aye
Alderman Hamill – aye
Alderman Diehl – aye
Alderman Baumann – aye
Alderman Ottenad – aye

Mayor Willson announced the motion passed 6 – 0, with no objections.

10. INTRODUCTION OF NEW BILLS

a. BILL ADDING A NEW SUBSECTION TO THE CITY’S ZONING CODE FOR THE “H” HISTORIC DISTRICT

Alderman Stevens introduced Bill # 15-2231, entitled: “AN ORDINANCE AMENDING SECTION 405.280.E.4 OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER BY ADDING THERETO A NEW SUB-SECTION (N) PERMITTING BEER AND WINE GARDENS IN THE H-HISTORIC DISTRICT OF THE CITY OF MANCHESTER”, by title only.

Alderman Ottenad asked about the wording of the limited breakfast menu; she wondered if this would involve the breakfast menu together with the beer and wine garden in the early morning.

Attorney Gunn stated it needed to be of the same operation.

Alderman Stevens said when she read this Ordinance, she questioned if other food in the evening could be included with the wine.

City Attorney Gunn stated that the main use is for a beer and wine garden in the evenings, which would be for food that is prepared and consumed on the premises and liquor that is served and consumed on the premises which is the main use. The use for the coffee and pastries is very ancillary and may never happen and is only a possibility.

Alderman Baumann asked if there would be music.

City Attorney Gunn responded that is not permitted in the use, but that does not mean you could not have music inside the building.

No further action at this time.

b. RESOLUTION APPROVING 2015 CHANNEL B IMPROVEMENTS PROJECT

Alderman Clement read Proposed Resolution # 15-0533, entitled: “A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A CONTRACT WITH IDEAL LANDSCAPE CONSTRUCTION, INC. IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED THIRTY-ONE THOUSAND ONE HUNDRED EIGHTY-SIX DOLLARS (\$731,186.00), INCLUDING A FIVE PERCENT (5%) CHANGE ORDER IN THE AMOUNT OF THIRTY-FOUR THOUSAND EIGHT HUNDRED EIGHTEEN DOLLARS (\$34,818.00) IN THE EVENT OF UNFORESEEN CONDITIONS, FOR CONSTRUCTION OF STORMWATER IMPROVEMENTS IN THE AREA KNOWN AND REFERRED TO AS THE 2015 CHANNEL B IMPROVEMENTS PROJECT – CENTURY

OAKS/COUNTRY STONE CHANNELS”, by title only.

Alderman Clement made the motion for approval of Resolution # 15-0533. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

c. RESOLUTION APPROVING CONSTRUCTION INSPECTION SERVICES
FOR THE 2015 CHANNEL B IMPROVEMENTS PROJECT

Alderman Ottenad read Proposed Resolution # 15-0534, entitled: “A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A CONTRACT WITH STOCK & ASSOCIATES CONSULTING ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED TWENTY-ONE THOUSAND TWO HUNDRED THIRTY DOLLARS (\$21,230.00) TO PROVIDE CONSTRUCTION INSPECTION SERVICES TO ENSURE THE 2015 CHANNEL B IMPROVEMENTS PROJECT – CENTURY OAKS/COUNTRY STONE CHANNELS IS CONSTRUCTED IN ACCORDANCE WITH APPROVED PLANS AND SPECIFICATIONS”, by title only.

Alderman Ottenad made the motion for approval of Resolution # 15-0534. The motion was seconded by Alderman Clement and carried unanimously, without objection.

11. MISCELLANEOUS

a. Comments from the Public

There were none.

12. EXECUTIVE SESSION:

a. Closed Session: Pursuant to Section 610.021 (1) of the Revised Statutes of the State of Missouri pertaining to legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communication between a public governmental body or its representatives and its attorneys.

Alderman Hamill made the motion to go into Closed Session: Pursuant to Section 610.021 (1) of the Revised Statutes of the State of Missouri pertaining to legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communication between a public governmental body or its representatives and its attorneys.

The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Stevens – aye
Alderman Hamill – aye
Alderman Diehl – aye
Alderman Baumann – aye
Alderman Ottenad – aye
Alderman Clement – aye

Mayor Willson announced the vote passed 6 to 0.

13. ADJOURNMENT

At 8:15 p.m., after the Executive Session, there being no further business, Alderman Hamill made the motion to adjourn. The motion was seconded by Alderman Stevens and carried unanimously, without objection. The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Ruth E. Baker, MMC/MRCC-S
City Clerk

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